

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: K & K Gas & Mini Mart Co.
DOCKET NO.: 05-25788.001-C-1 & 05-25788.002-C-1
PARCEL NO.: 32-17-424-007-0000 & 32-17-424-008-0000

The parties of record before the Property Tax Appeal Board are K & K Gas & Mini Mart Co., the appellant, by attorney M. Whitley of Marino & Associates, PC of Chicago and the Cook County Board of Review.

The subject property consists of a seven-year-old, one-story, masonry commercial gas station with a mini-mart building containing a 1,056 square foot building area and situated on 11,816 square feet of land located in Bloom Township Cook County.

The appellant, through counsel, submitted evidence before the PTAB claiming that the subject's market value is not accurately reflected in its assessment. This evidence was timely filed by the appellant pursuant to the Official Rules of the Property Tax Appeal Board.

In support of this argument the appellant submitted an appraisal dated January 1, 2005 containing the cost and sales approaches to value and arriving in a rounded market value of \$180,000.

In the cost approach the appraiser used four land sales ranging from \$5.35 to \$8.57 per square foot and after acceptable adjustments estimated the land value to be \$70,000 and the depreciated value of the building and on site improvements to be \$111,157 or a rounded total of both of \$180,000 for the cost approach.

In the sales approach the appraiser used five sales of gas station buildings ranging in size from 1,200 to 2,500 square feet and ranging in age from 25 to 56 years. The sales occurred between January 2002 and July 2003 for prices ranging from \$120,000 to \$700,000 or from \$11.57 to \$19.24 per square foot of land area. After appropriate adjustments the appraiser arrived

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the COOK County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO.	PROPERTY NO.	LAND	IMPR.	TOTAL
05-25788.001-C-1	32-17-424-007	\$ 7,374	\$16,559	\$23,933
05-25788.002-C-1	32-17-424-008	\$20,047	\$24,420	\$44,467

Subject only to the State multiplier as applicable.

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at a value of \$15.00 per square foot or a rounded value of \$180,000 via the sales comparison approach.

Based upon this evidence, the appellant requested a reduction in the subject's total assessment to reflect the reduced market value.

The board of review submitted "Board of Review-Notes on Appeal" that disclosed the subject's total assessment of \$85,979 which reflects a market value of \$226,260 or \$19.15 per square foot of land area as factored by the Cook County Ordinance level of 38%. The board submitted evidence in support of its assessed valuation of the subject property. The board's evidence consists of an analysis of eight service stations. The board's evidence consists of raw appraisal data prior to adjustments for market conditions, location, size, land to building ratio, zoning and other related factors. Based on this evidence the board requested confirmation of the subject's present assessment.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant has met this burden and has submitted the best evidence of market value. The appellant's appraisal indicates that the subject property was valued at \$180,000. Since the market value of the subject has been established, the Cook County Class 5 property assessment of 38% will apply. The subject's total assessment should not be in excess of \$68,400, while the subject's current total assessment is at \$85,979.

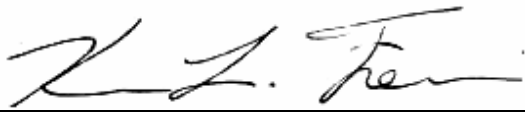
The PTAB gives little weight to the board's sales evidence because it lacks analysis and a supported conclusion of value.

As a result of this analysis, the PTAB finds that the appellant has adequately demonstrated that the subject property was overvalued and that a reduction in the subject's assessment is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: _____

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: January 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing

complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.